

## **REMARKS**

Reconsideration of the application is respectfully requested.

Claims 1-6, 13-18, 25 and 26 were pending in the Application. Claims 1 and 13 were amended. Claims 1-6, 13-18, 25 and 26 are now pending in the application.

The amendments of claims 1 and 13 find support in Figures 1 and 2, as well as in the Specification on page 9, lines 16-18 and 23-28.

The Specification was amended to better clarify the invention. It finds support in Figures 1 and 2, as well as in the Specification on page 9, lines 16-18.

Figures 1 and 2 were amended to better illustrate critical elements of the instant invention. The amendment finds support in the Specification on page 9, lines 16-18 and 23-28. A "Replacement Sheet" and "Annotated Marked-up Drawings" sheet are attached.

A new Declaration is attached.

## **DETAILED ACTION**

### ***Oath/Declaration***

1. A new Declaration is attached herein per the Examiner's instructions to identify the application number and filing date of the present application.

### ***Claim Objections***

2. The misnumbered claim 3 was renumbered as claim 26 by the Examiner and also as indicated in the attached set of "Claim Amendments".

### ***Double Patenting***

3. The comments of the Examiner are acknowledged.
4. A Terminal Disclaimer to overcome the rejection under the judicially created doctrine of obviousness-type double patenting of claims 1-6, 13-18, 25 and 26 of the present application over claims 1-18 of U.S. Patent No. 6,726,418 shall be filed as soon as claims 1-6, 13-18, 25 and 26, as amended, are allowable, except for the rejection due to double patenting.

### ***Claim Rejections - 35 USC § 103***

5. The comments of the Examiner are acknowledged.
6. Claims 1-3, 13-15, 25 and 26 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Cornell et al (5,774,949) in view of Smith (5,725,343).

Applicants respectfully traverse the position of the Office Action. The claims of the present invention, as now amended, have immense differences when compared to what any of the cited references teach or even imply.

Claims 1 and 13, as now amended, require that the widths  $W_a$  and  $W_b$  of both the front and back snapping segments 36a and 36b, respectively, are substantially equal to the distance between the respective first (30a, 32a) and second (30b, 32b) opening sides, as better illustrated in Figures 1 and 2 of the present invention. This is a very critical requirement because it provides very high strength and rigidity to both snapping segments 36a and 36b, as well as to the side body

portions (34a, 34b) of the fastener 10, since it maximizes their width, in contrast with the configurations disclosed by either Cornell et al. (see Cornell' s Figure 2 for example) or Fischer (see Fischer' s Figure 4 for example).

Therefore, Applicants earnestly believe that claims 1 and 13, as now amended, are patentable over Cornell et al (5,774,949) in view of Smith (5,725,343), and respectfully request withdrawal of the rejection of claims 1 and 13.

Since Applicants earnestly believe, as demonstrated above, that claims 1 and 13 are patentable, and since claims 2, 3 and 25 depend from claim 1 directly or indirectly, and since claims 14, 15 and 26 depend from claim 13 directly or indirectly, claims 2, 3, 14, 15, 25, and 26 are also considered to be patentable, and any further discussion would be moot.

Therefore, Applicants respectfully request withdrawal of the rejection of claims 2, 3, 14, 15, 25, and 26 as being unpatentable over Cornell et al (5,774,949) in view of Smith (5,725,343).

7. Claims 4-6 and 16-18 were rejected as allegedly being unpatentable over Cornell et al. in view of Smith as applied to claims 1-3 and 13-15 above in view of either Kuffel (5,759,004) or Fischer (5,919,019)

Since Applicants earnestly believe, as demonstrated above, that claims 1 and 13 are patentable, and since claims 4-6 depend from claim 1 directly or indirectly, and since claims 16-18 depend from claim 13 directly or indirectly, claims 4-6 and 16-18 are also considered to be patentable, and any further discussion would be moot.

Therefore, Applicants respectfully request withdrawal of the rejection of claims 4-6 over Cornell et al. in view of Smith and in view of either Kuffel (5,759,004) or Fischer (5,919,019).

### ***Conclusion***

Applicants acknowledge the comments of the Examiner.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: : Daniel James Dickinson, Michael Walter Smith, and Eustathios Vassiliou  
App. Serial Number : 10/728,558  
Filing Date : 12/05/2003  
For : Spring Fastener for Connecting Miscellaneous Articles  
Docket No. : AN15D1

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION AND POWER OF ATTORNEY

DECLARATION: As below-named inventors, we believe that we are the original, first, and joint inventors of the subject matter which is claimed in the specification identified below and for which a patent is sought on the invention as titled therein. We hereby state that we have reviewed and understand the contents of said specification including the claims, as amended by any amendment referred to herein. We acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). Our residences, post office addresses, and citizenships are as stated below under our respective names.

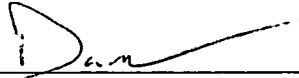
Title of the invention: Spring Fastener for Connecting Miscellaneous Articles  
Priority of Non-Provisional Application 10/213,217, filed August 6, 2002  
Priority of Provisional Patent Application 60/323,240, filed September 19, 2001  
No earlier-filed foreign application of which priority benefit is claimed.

POWER OF ATTORNEY: The power to prosecute this application and transact all business in the Patent and Trademark Office connected therewith is hereby granted to Patent Agent Eustathios Vassiliou, Registration No. 34,037, Customer No. 21520.

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We further declare that all the statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



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